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EXAMINER

MAURO JR, THOMAS J

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/694,542

Applicant(s)

ZEE ET AL.

Examiner

Thomas J. Mauro Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 20040809.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to the Request for Continued Examination (RCE) filed on October 7, 2004. In it, claims 1-32 are pending and are presented for examination. A formal action on the merits of claims 1-32 follows.

#### ***Information Disclosure Statement***

2. The Information Disclosure Statement (IDS) submitted on 8/9/2004 has been considered by the Examiner.

#### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1, 7, 13, 19, 23, 27 and 30 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Objections***

4. Claim 1 is objected to because of the following informalities: the last line of claim 1 recites allowing "...the client/receiving party". However, it is the sender/user receiving the history record and a validation/audit of the delivery. Therefore, client/receiving party should be changed to sender/user. Claim has been interpreted in light of the proposed correction. Appropriate correction is required.

*Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 6 and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al. (U.S. 6,314,454) in view of Patterson (U.S. 6,751,670).

Regarding claim 1, Wang teaches a method of sending and validating/auditing delivery of e-media [**Wang -- Abstract**], comprising the steps of:

obtaining/receiving e-media of a sender/user wherein the sender/user has indicated a requested type of delivery of the e-media to a client/receiving party [**Wang -- Figure 7, Col. 4 lines 8-11 and Col. 6 lines 48-51 – Sender specifies type of delivery, i.e. certified e-mail delivery, and sends it to server**], wherein the client is a software application [**Wang -- Col. 4 lines 41-44 – Software on mail server carries out validating/auditing of delivery**];

accessing an account of the sender/user to obtain sender/user information [**Wang -- Col. 4 lines 44-51 and Col. 7 lines 26-27 – Upon logging into server and sending message, mail server inherently and implicitly provides that software accesses storage unit to get information from sender, i.e. username, password, IP address, etc, before sending the message**];

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sending the e-media to the client/receiving party [**Wang -- Col. 6 lines 48-55 – User sends message which is stored on server until receiving user logs on, upon which message is sent to his local device, i.e. computer**]; and

receiving a validation/audit of the requested type of delivery upon receipt/consumption of the e-media by the client/receiving party [**Wang -- Col. 6 lines 55-60 and Col. 7 lines 26-30 – Sender is notified upon delivery of message to receiver and when an action, i.e. read, forward, or delete, is performed on the message by the receiver**].

Wang, however, fails to explicitly teach specifying, by the sender, a level of feedback from the client that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents along with creating/receiving a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media to allow the client/receiving party to make future e-media delivery decisions.

Patterson, however, explicitly discloses these limitations, namely, specifying, by the sender, a level of feedback from the client [**Patterson -- Figure 6D, Col. 4 lines 11-19 and lines 45-50 and Col. 9 lines 46-53 – Notification levels of feedback are implicitly provided by the user through the selection of the certified mail option shown in Figure 6D. This allows for notifications to be transmitted to the sender upon access attempts being taken by a receiving user**] that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents [**Patterson -- Col. 3 lines 36-38 and Col. 4 lines 45-59 – E-mail is sent along with attached envelope containing documents provided to the receiver by the sender. A notification is**

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**sent if such documents are printed, saved, deleted, viewed, i.e. opening and interacting with the documents, etc.].**

In addition, Patterson discloses creating/sending a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media [Patterson -- Col. 3 lines 36-38, Col. 4 lines 34-67 and Col. 5 lines 21-38 – Notification information summary, i.e. history record, includes chain of delivery events, i.e. as envelope is passed to different recipients (forwarding), and interaction events occurring, i.e. saving, deleting, printing, etc. This summarized information, which is monitored by the system, is transmitted when viewing ends and is transmitted each time a different user or computer accesses and interacts with the envelope, i.e. e-media] which allows the sender/user to make future e-media delivery decisions [Patterson -- Col. 3 lines 36-38, Col. 4 lines 34-67 and Col. 5 lines 21-38 – By gaining information about network addresses of computer and user's who have interacted with the message, senders/users can make future decisions on who to send messages to, etc.].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the specifying, by the sender, of a level of feedback from the client that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents along with creating/sending a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media which allows the sender/user to make future e-media delivery decisions, as taught by Patterson into the invention of Wang, in order to further enhance the level of tracking for senders to allow them to be sure the

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intended recipient has read or received the attachment / e-mail and any other interactions with the e-mail [**Patterson -- Col. 1 lines 15-26**].

Regarding claim 2, Wang-Patterson teach the invention substantially as claimed, as aforementioned in claim 1 above, including wherein the validation/audit of the requested type of delivery is attended by the client/receiving party [**Wang -- Col. 6 lines 51-53 and Col. 7 lines 31-37 – Receiving party must log-in to account/server to receive which causes validation. Also, when user opens, reads, deletes or forwards the message, a notification is generated and sent to sender, which requires an attended state, i.e. user is present to perform some action on the message**].

Regarding claim 3, Wang-Patterson teach the invention substantially as claimed, as aforementioned in claim 2 above, including wherein the validation/audit includes at least one of:

- A biometric signatures sent by the client/receiving party; and
- A user's encrypted/unencrypted Unique Identifier entered by the client/consumer/receiving party to indicate that the e-media has been received/consumed [**Wang -- Col. 6 lines 51-53 – Receiving performs a log on operation to receive the certified messages from the mail server. By definition, log on means gaining access to a specific computer, a program, or a network by identifying oneself with a username and a password (Microsoft Computer Dictionary, 5<sup>th</sup> edition). Therefore, by logging on, receiving user enters unique username and password to receive certified mail**].

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Regarding claim 6, Wang-Patterson teach the invention substantially as claimed, as aforementioned in claim 1 above, including wherein the e-media is received/consumed other than by printing **[Wang -- Col. 7 lines 31-35 – E-mail is received by user and consumed by reading, opening, deleting, forwarding, etc... the message].**

Regarding claim 19, Wang teaches a method for performing an attended validation/audit of delivery of e-media, comprising the steps of:

Packaging, by the sender/user, the e-media and specifying the level of feedback **[Wang -- Col. 6 lines 63-67 – E-mail, with/without an attachment, is composed along with or without certification request to provide validation, i.e. level of feedback];**

Requesting, by the sender/user, a delivery service to deliver the e-media **[Wang -- Col. 7 lines 1-2 – Sender transmits message to ISP and mail server to be delivered];**

Accessing, by the delivery service, the sender/user account to obtain pertinent information **[Wang -- Col. 4 lines 44-51 and Col. 7 lines 26-27 – Upon logging into server and requesting to send message, mail server software inherently accesses storage unit to get information from sender account, i.e. username, password, IP address, etc, before sending the message];**

Transmitting, by the delivery service, the e-media to the client/receiving party **[Wang -- Col. 7 lines 3-11 – ISP routes message to mail server of receiving client];**

Delivering of the e-media to a personal computer/device of the client/receiving party **[Wang -- Col. 7 lines 12-22 – Message is delivered to PC of receiving party when they access their mail account to check for new messages];** and



Validating, by the client/receiving party, that the e-media has been received [**Wang -- Col. 7 lines 26-34 – Upon accepting receipt of message, notification is sent to sender validating receipt of the message**].

Wang, however, fails to explicitly teach specifying, by the sender, a level of feedback from the client that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents along with creating/receiving a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media.

Patterson, however, explicitly discloses these limitations, namely, specifying, by the sender, a level of feedback from the client [**Patterson -- Figure 6D, Col: 4 lines 11-19 and lines 45-50 and Col. 9 lines 46-53 – Notification levels of feedback are implicitly provided by the user through the selection of the certified mail option shown in Figure 6D. This allows for notifications to be transmitted to the sender upon access attempts being taken by a receiving user**] that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents [**Patterson -- Col. 3 lines 36-38 and Col. 4 lines 45-59 – E-mail is sent along with attached envelope containing documents provided to the receiver by the sender. A notification is sent if such documents are printed, saved, deleted, viewed, i.e. opening and interacting with the documents, etc.**].

In addition, Patterson discloses creating/sending a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media [**Patterson -- Col. 3 lines 36-38, Col. 4 lines 34-67 and Col. 5 lines 21-38 – Notification**

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**information summary, i.e. history record, includes chain of delivery events, i.e. as envelope is passed to different recipients (forwarding), and interaction events occurring, i.e. saving, deleting, printing, etc. This summarized information, which is monitored by the system, is transmitted to the sender when viewing ends and is transmitted each time a different user or computer accesses and interacts with the envelope, i.e. e-media].**

Furthermore, while Patterson discloses transmitting the history record, i.e. notification summary, to the sender/user, it would have been obvious that sending this to multiple individuals, i.e. including the client/receiving party, would have been obvious in order to allow other users of interest to obtain and review tracking information of a message.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the specifying, by the sender, of a level of feedback from the client that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents along with creating/sending a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media, as taught by Patterson into the invention of Wang, in order to further enhance the level of tracking for senders to allow them to be sure the intended recipient has read or received the attachment / e-mail and any other interactions with the e-mail [**Patterson -- Col. 1 lines 15-26**].

Regarding claim 20, Wang-Patterson teach the invention substantially as claimed, as aforementioned in claim 19 above, including wherein the step of delivering the e-media to a personal computer/device of the client/receiving party includes at least one of:

Informing the delivery service that the e-media was delivered [**Wang -- Col. 7 lines 23-24 and lines 35-37-- Receiving client validates receipt of the message and provides notification to server**]; and

Determining a desired level of delivery validation [**Wang -- Col. 7 lines 5-7 – Mail can be certified or not certified**].

Regarding claim 21, Wang-Patterson teach the invention substantially as claimed, as aforementioned in claim 19 above, including wherein the step of delivering the e-media to a personal computer/device of the client/receiving party includes at least one of:

Informing the delivery service that the e-media was delivered [**Wang -- Col. 7 lines 23-24 and lines 35-37-- Receiving client validates receipt of the message and provides notification to server**]; and

Verifying utilization by the receiving party [**Wang -- Col. 7 lines 31-37 – Receiving party notifies server if message is opened or read or deleted or forwarded**].

Regarding claim 22, Wang-Patterson teach the invention substantially as claimed, as aforementioned in claim 19 above, including wherein the step of validating, by the client/receiving party, that the e-media has been received includes one of:

Sending, by the client/receiving party, a biometric signature; and

Entering a user's encrypted/unencrypted Unique Identifier by the client/consumer/receiving party to indicate that the e-media has been utilized [**Wang Col. 6 lines 51-60 – Receiving client performs a log on operation to receive the certified messages from**

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**the mail server. By definition, log on means gaining access to a specific computer, a program, or a network by identifying oneself with a username and a password (Microsoft Computer Dictionary, 5<sup>th</sup> edition). Therefore, by logging on, receiving user enters unique username and password to receive certified mail].**

7. Claims 7-9, 12-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al. (U.S. 6,314,454) in view of Patterson (U.S. 6,751,670) and Conmy et al. (U.S. 6,101,480).

Regarding claim 7, Wang teaches a computer-readable medium having computer-executable instructions [**Wang -- Col. 4 lines 41-44 and Col. 8 lines 41-44 – Software, i.e. executable instructions, are stored on a disk, i.e. computer readable medium]**. Most of the limitations in the claim are similar to the limitations of the method claim of claim 1. Therefore, claim 7 is rejected under the same rationale.

In addition, claim 7 recites sending regular status updates on availability times of the client/receiving party to receive new e-media based on prior events.

Conmy discloses a scheduling system which allows real time status updates on user's free/busy, i.e. availability, times for both calendar and mail systems based upon previously stored events in both their profiles and calendar/email system [**Conmy -- Col. 3 lines 57-67 – Col. 4 lines 1-13, Col. 10 lines 20-22 and lines 43-50, Col. 11 lines 61-62 and Col. 12 lines 44-50]** which, when

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combined with Wang-Patterson, would include the notification summaries produced by the certified mail system.

Patterson discloses that the user should be able to decide the nature and type of notification information collected from a recipient [**Patterson -- Col. 11 lines 1-5**], thus allowing one of ordinary skill in the art to be motivated to provide additional information in the notification summary regarding availability times for contact.

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the real time status updates on a user's free/busy, i.e. availability, times based upon previously recorded events, namely the events of the history record, i.e. notification summary, of Patterson, as taught by Conmy into the invention of Wang-Patterson, in order to promote higher levels of end-user productivity by allowing users to better manage and schedule time [**Conmy -- Col. 11 lines 31-32**].

Regarding claims 8-9 and 12, these are computer-readable medium claims corresponding to the method claimed in claims 2-3 and 6. They have similar limitations; therefore, claims 8-9 and 12 are rejected under the same rationale.

Regarding claim 13, Wang teaches a digital content delivery service system for sending and validating/auditing delivery of e-media, comprising:

An interface e-media transfer unit, arranged to communicate with at least one of: a plurality of senders/users and other digital content delivery service system/systems [**Wang --**

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**Figure 7 (server is linked to the receiver and sender(s)) and Col. 6 lines 45-55 – Server is an intermediary point between sender account unit and receiving account unit]** and coupled to a sender/user account storage unit **[Wang -- Figure 3 and Col. 4 lines 46-49 - Storage device is coupled to server to store messages along with account info for sending messages]** and a validation/audit processing unit, programmed to obtain/receive e-media of a sender/user wherein the sender/user has indicated a requested type of delivery of the e-media to a client/receiving party **[Wang -- Figure 7, Col. 4 lines 8-11 and Col. 6 lines 48-51 – Sender specifies type of delivery, i.e. certified e-mail delivery, and sends it to server]** and to store sender/user information and requested type of delivery in the sender/user account storage **[Wang -- Col. 7 lines 9-11 – Certified messages, i.e. the message, sender name and address, i.e. information, is stored in account storage for future access];**

the validation/audit processing unit, coupled to the interface e-media transfer unit and to the sender/user account storage unit, for obtaining sender/user information and the requested type of delivery from the sender/user account storage unit **[Wang -- Col. 4 lines 44-51 and Col. 7 lines 26-27 – Upon logging into server and sending message, mail server inherently and implicitly provides that software accesses storage unit to get information from sender, i.e. username, password, IP address, whether the item is certified, i.e. type of delivery, etc, before sending the message]**, sending the e-media to the client/receiving party/other digital content delivery service system/systems **[Wang -- Col. 6 lines 48-55 – User sends message which is stored in receiver/client account on server]**, and obtaining validation/audit information for receipt/consumption of the e-media **[Wang -- Col. 6 lines 55-60 and Col. 7 lines**

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**26-30 – Sender is notified upon delivery of message to receiver and when an action, i.e. read, forward, or delete, is performed on the message by the receiver]; and**

the sender/user account storage unit coupled to the interface e-media transfer unit and the validation/audit processing unit, for storing sender/user information and a requested type of delivery of e-media [Wang -- Col. 4 lines 44-51 and Col. 7 lines 26-27 – Each user has an account located on the server. All transactions and account information for the user are stored, i.e. sender information, including whether a message is certified or not].

Wang, however, fails to explicitly teach specifying, by the sender, a level of feedback from the client that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents, creating/receiving a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media and sending regular status updates on availability times of the client/receiving party to receive new e-media based on prior events.

Patterson, however, explicitly discloses these limitations, namely, specifying, by the sender, a level of feedback from the client [Patterson -- Figure 6D, Col. 4 lines 11-19 and lines 45-50 and Col. 9 lines 46-53 – Notification levels of feedback are implicitly provided by the user through the selection of the certified mail option shown in Figure 6D. This allows for notifications to be transmitted to the sender upon access attempts being taken by a receiving user] that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents [Patterson -- Col. 3 lines 36-38 and Col. 4 lines 45-59 – E-mail is sent along with attached

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**envelope containing documents provided to the receiver by the sender. A notification is sent if such documents are printed, saved, deleted, viewed, i.e. opening and interacting with the documents, etc.].**

In addition, Patterson discloses creating/sending a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media **[Patterson -- Col. 3 lines 36-38, Col. 4 lines 34-67 and Col. 5 lines 21-38 – Notification information summary, i.e. history record, includes chain of delivery events, i.e. as envelope is passed to different recipients (forwarding), and interaction events occurring, i.e. saving, deleting, printing, etc. This summarized information, which is monitored by the system, is transmitted when viewing ends and is transmitted each time a different user or computer accesses and interacts with the envelope, i.e. e-media].**

Furthermore, Conmy discloses a scheduling system which allows real time status updates on user's free/busy, i.e. availability, times for both calendar and mail systems based upon previously stored events in both their profiles and calendar/email system **[Conmy -- Col. 3 lines 57-67 – Col. 4 lines 1-13, Col. 10 lines 20-22 and lines 43-50, Col. 11 lines 61-62 and Col. 12 lines 44-50]** which, when combined with Wang-Patterson, would include the notification summaries produced by the certified mail system. In addition, Patterson discloses that the user should be able to decide the nature and type of notification information collected from a recipient **[Patterson -- Col. 11 lines 1-5]**, thus allowing one of ordinary skill in the art to be motivated to provide additional information in the notification summary regarding availability times for contact.



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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the specifying, by the sender, of a level of feedback from the client that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents along with creating/sending a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media, as taught by Patterson, in addition to, the real time status updates on a user's free/busy, i.e. availability, times based upon previously recorded events, namely the events of the history record, i.e. notification summary, of Patterson, as taught by Conmy into the invention of Wang, in order to further enhance the level of tracking for senders to allow them to be sure the intended recipient has read or received the attachment / e-mail and any other interactions with the e-mail **[Patterson -- Col. 1 lines 15-26]** and to promote higher levels of end-user productivity by allowing users to better manage and schedule time **[Conmy -- Col. 11 lines 31-32]**.

Regarding claim 14, Wang-Patterson-Conmy teach the invention substantially as claimed, as aforementioned in claim 13 above, including wherein at least part of the validation/audit information of the requested type of delivery is provided by the client/receiving party **[Wang -- Col. 7 lines 31-37 -- Receiving account, i.e. receiving client, notifies server in order to validate/audit the message]**.

Regarding claim 15, this is a system claim corresponding to the method claimed in claim 3. It has similar limitations; therefore, claim 15 is rejected under the same rationale.

Regarding claim 16, Wang-Patterson-Conmy teach the invention substantially as claimed, as aforementioned in claim 13 above, including wherein the validation/audit information of the requested type of delivery is automatically provided by a device/devices of the client/receiving party **[Wang -- Col. 7 lines 26-37 – Notifications regarding status of message and whether or not it was received are automatically sent to server and then forwarded on to the sender without the receiving user intervening].**

Regarding claim 18, Wang-Patterson-Conmy teach the invention substantially as claimed, as aforementioned in claim 13 above, including wherein the receipt/consumption of the e-media is achieved other than by printing **[Wang -- Col. 7 lines 31-35 – Receipt/consumption can be made by simply accepting the message along with opening/reading/deleting or forwarding the message].**

8. Claims 4-5, 23-26 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al. (U.S. 6,314,454) and Patterson (U.S. 6,751,670), as applied to claim 1 above, in view of Mitsuya (JP-411312068A).

Regarding claim 4, Wang-Patterson teaches the invention substantially as claimed, as aforementioned in claim 1 above, but fails to teach wherein the validation/audit of the requested type of delivery is unattended by the client/receiving party.

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Mitsuya, however, teaches a system upon which an unattended confirmation of an e-mail is performed by a printer upon arrival at its destination address **[Mitsuya -- Abstract -- Message is sent to receiver and printed, which validates the delivery and provides notification to the transmitter, i.e. sender]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate an unattended validation/audit of a received e-mail message via a printer, as taught by Mitsuya into the invention of Wang-Patterson, in order to provide verification that the message has reached the receiving individual and has printed successfully and also gaining the automated advantage of instant verification to the sender that the document has reached the receiver even if the receiver is not physically present.

Regarding claim 5, Wang-Patterson-Mitsuya teaches the invention substantially as claimed, wherein the e-media is received/consumed by printing **[Mitsuya -- Abstract Page 2 lines 3-6 -- Upon receiving message, the message is sent to print server and printed]**.

Regarding claim 23, Wang teaches the invention substantially as claimed, a method for performing validation/audit of delivery of e-media, comprising the steps of:

Packaging, by the sender/user, the e-media **[Wang -- Col. 6 lines 63-67 -- E-mail, with/without an attachment, is composed along with or without certification request to provide validation, i.e. level of feedback]**; receiving, by the delivery service, the e-media delivery request **[Wang -- Col. 7 lines 1-2 -- Sender transmits message to ISP and mail server to be delivered]**;

Accessing, by the delivery service, the sender/user account to obtain pertinent information [Wang -- Col. 4 lines 44-51 and Col. 7 lines 26-27 – Upon logging into server and requesting to send message, mail server software inherently accesses storage unit to get information from sender account, i.e. username, password, IP address, etc, before sending the message];

Transmitting, by the delivery service, the e-media to the client/receiving party [Wang -- Col. 7 lines 3-11 – ISP routes message to mail server of receiving client], wherein the client is a software application [Wang -- Col. 4 lines 41-44].

Wang, however, fails to teach an unattended validate/audit of delivery of printed e-media along with delivering and validating of the e-media by the printer of the client/receiving party along with specifying, by the sender, a level of feedback from the client that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents along with creating/receiving a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media.

Mitsuya, however, teaches an unattended process wherein a printer, automatically upon delivery of an e-mail message, validates the e-mail message after it is printed [Mitsuya -- Abstract Page 2 lines 3-6].

In addition, Patterson explicitly discloses specifying, by the sender, a level of feedback from the client [Patterson -- Figure 6D, Col. 4 lines 11-19 and lines 45-50 and Col. 9 lines 46-53 – Notification levels of feedback are implicitly provided by the user through the selection of the certified mail option shown in Figure 6D. This allows for notifications to be

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**transmitted to the sender upon access attempts being taken by a receiving user] that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents [Patterson -- Col. 3 lines 36-38 and Col. 4 lines 45-59 – E-mail is sent along with attached envelope containing documents provided to the receiver by the sender. A notification is sent if such documents are printed, saved, deleted, viewed, i.e. opening and interacting with the documents, etc.].**

Furthermore, Patterson discloses creating/sending a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media [Patterson -- Col. 3 lines 36-38, Col. 4 lines 34-67 and Col. 5 lines 21-38 – Notification information summary, i.e. history record, includes chain of delivery events, i.e. as envelope is passed to different recipients (forwarding), and interaction events occurring, i.e. saving, deleting, printing, etc. This summarized information, which is monitored by the system, is transmitted to the sender when viewing ends and is transmitted each time a different user or computer accesses and interacts with the envelope, i.e. e-media].

While Patterson discloses transmitting the history record, i.e. notification summary, to the sender/user, it would have been obvious that sending this to multiple individuals, i.e. including the client/receiving party, would have been obvious in order to allow other users of interest to obtain and review tracking information of a message.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the specifying, by the sender, of a level of feedback from the client that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents along with

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creating/sending a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media, as taught by Patterson along with the unattended validation/audit of printed e-media, i.e. e-mail messages, by a printer, as taught by Mitsuya, into the invention of Wang, in order to further enhance the level of tracking for senders to allow them to be sure the intended recipient has read or received the attachment / e-mail and any other interactions with the e-mail **[Patterson -- Col. 1 lines 15-26]** and also to provide verification to the transmitter that the message has reached the receiving individual and has printed successfully and also gaining the automated advantage of instant verification to the sender that the document has reached the receiver even if the receiver is not physically present.

Regarding claims 24-26, these are method claims which are similar to the methods claimed in claims 20-22. They have similar limitations; therefore, claims 24-26 are rejected under the same rationale.

Regarding claim 30, Wang teaches the invention substantially as claimed, a method for performing validation/audit of delivery of e-media, comprising the steps of:

Packaging, by the sender/user, the e-media and specifying the level of feedback **[Wang -- Col. 6 lines 63-67 – E-mail, with/without an attachment, is composed along with or without certification request to provide validation, i.e. level of feedback];**

Requesting, by the sender/user, the delivery service to deliver the e-media **[Wang -- Col. 7 lines 1-2 – Sender transmits message to ISP and mail server to be delivered];**

Accessing, by the delivery service, the sender/user account to obtain pertinent information [Wang -- Col. 4 lines 44-51 and Col. 7 lines 26-27 – Upon logging into server and requesting to send message, mail server software inherently accesses storage unit to get information from sender account, i.e. username, password, IP address, etc, before sending the message];

Transmitting, by the delivery service, the e-media to the client/receiving party [Wang -- Col. 7 lines 3-11 – ISP routes message to mail server of receiving client].

Wang, however, fails to teach an unattended validate/audit of delivery of printed e-media along with delivering and validating of the e-media by the printer of the client/receiving party along with specifying, by the sender, a level of feedback from the client that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents in addition to creating/receiving a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media to allow the client/receiving party to make future e-media delivery decisions.

Mitsuya, however, teaches an unattended process wherein a printer, upon delivery of an e-mail message, validates the e-mail message after it is printed [Mitsuya -- Abstract Page 2 lines 3-6]. Furthermore, Patterson explicitly discloses specifying, by the sender, a level of feedback from the client [Patterson -- Figure 6D, Col. 4 lines 11-19 and lines 45-50 and Col. 9 lines 46-53 – Notification levels of feedback are implicitly provided by the user through the selection of the certified mail option shown in Figure 6D. This allows for notifications to be transmitted to the sender upon access attempts being taken by a receiving user] that

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includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents [Patterson -- Col. 3 lines 36-38 and Col. 4 lines 45-59 – E-mail is sent along with attached envelope containing documents provided to the receiver by the sender. A notification is sent if such documents are printed, saved, deleted, viewed, i.e. opening and interacting with the documents, etc.].

In addition, Patterson discloses creating/sending a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media [Patterson -- Col. 3 lines 36-38, Col. 4 lines 34-67 and Col. 5 lines 21-38 – Notification information summary, i.e. history record, includes chain of delivery events, i.e. as envelope is passed to different recipients (forwarding), and interaction events occurring, i.e. saving, deleting, printing, etc. This summarized information, which is monitored by the system, is transmitted when viewing ends and is transmitted each time a different user or computer accesses and interacts with the envelope, i.e. e-media] which allows the sender/user to make future e-media delivery decisions [Patterson -- Col. 3 lines 36-38, Col. 4 lines 34-67 and Col. 5 lines 21-38 – By gaining information about network addresses of computer and user's who have interacted with the message, senders/users can make future decisions on who to send messages to, etc.].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the specifying, by the sender, of a level of feedback from the client that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents along with creating/sending a history record that includes a chain of delivery events occurring after sending



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the e-media and interaction events occurring after receipt of the e-media which allows the sender/user to make future e-media delivery decisions, as taught by Patterson along with the unattended validation/audit of printed e-media, i.e. e-mail messages, by a printer, as taught by Mitsuya, into the invention of Wang, in order to further enhance the level of tracking for senders to allow them to be sure the intended recipient has read or received the attachment / e-mail and any other interactions with the e-mail [**Patterson -- Col. 1 lines 15-26**] and also to provide verification to the transmitter that the message has reached the receiving individual and has printed successfully and also gaining the automated advantage of instant verification to the sender that the document has reached the receiver even if the receiver is not physically present..

Regarding claims 31-32, these are system claims corresponding to the methods claimed in claims 28-29. They have similar limitations; therefore, claims 31-32 are rejected under the same rationale.

9. Claims 10-11, 17 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al. (U.S. 6,314,454), Patterson (U.S. 6,751,670) and Conmy et al. (U.S. 6,101,480), as applied to claims 7, 13 and 27 above respectively, in view of Mitsuya (JP-411312068A).

Regarding claims 10-11, these are computer-readable medium claims corresponding to the methods claimed in claims 4-5. They have similar limitations; therefore, claims 10-11 are rejected under the same rationale.

Regarding claim 17, this is a system claim corresponding to the method claimed in claim 5. It has similar limitations; therefore, claim 17 is rejected under the same rationale.

Regarding claim 27, Wang teaches the invention substantially as claimed, a method for performing validation/audit of delivery of e-media, comprising the steps of:

Packaging, by the sender/user, the e-media and specifying the level of feedback [**Wang -- Col. 6 lines 63-67 – E-mail, with/without an attachment, is composed along with or without certification request to provide validation, i.e. level of feedback**];

Requesting, by the sender/user, the delivery service to deliver the e-media [**Wang -- Col. 7 lines 1-2 – Sender transmits message to ISP and mail server to be delivered**];

Accessing, by the delivery service, the sender/user account to obtain pertinent information [**Wang -- Col. 4 lines 44-51 and Col. 7 lines 26-27 – Upon logging into server and requesting to send message, mail server software inherently accesses storage unit to get information from sender account, i.e. username, password, IP address, etc, before sending the message**];

Transmitting, by the delivery service, the e-media to the client/receiving party [**Wang -- Col. 7 lines 3-11 – ISP routes message to mail server of receiving client**].

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Wang, however, fails to teach an unattended validate/audit of delivery of printed e-media along with delivering and validating of the e-media by the printer of the client/receiving party along with specifying, by the sender, a level of feedback from the client that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents, creating/receiving a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media and sending regular status updates on availability times of the client/receiving party to receive new e-media based on prior events..

Mitsuya, however, teaches an unattended process wherein a printer, upon delivery of an e-mail message, validates the e-mail message after it is printed **[Mitsuya -- Abstract Page 2 lines 3-6]**.

Furthermore, Patterson explicitly discloses specifying, by the sender, a level of feedback from the client **[Patterson -- Figure 6D, Col. 4 lines 11-19 and lines 45-50 and Col. 9 lines 46-53 -- Notification levels of feedback are implicitly provided by the user through the selection of the certified mail option shown in Figure 6D. This allows for notifications to be transmitted to the sender upon access attempts being taken by a receiving user]** that includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents **[Patterson -- Col. 3 lines 36-38 and Col. 4 lines 45-59 -- E-mail is sent along with attached envelope containing documents provided to the receiver by the sender. A notification is sent if such documents are printed, saved, deleted, viewed, i.e. opening and interacting with the documents, etc.]**.

In addition, Patterson discloses creating/sending a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-

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media [Patterson -- Col. 3 lines 36-38, Col. 4 lines 34-67 and Col. 5 lines 21-38 – Notification information summary, i.e. history record, includes chain of delivery events, i.e. as envelope is passed to different recipients (forwarding), and interaction events occurring, i.e. saving, deleting, printing, etc. This summarized information, which is monitored by the system, is transmitted to the sender when viewing ends and is transmitted each time a different user or computer accesses and interacts with the envelope, i.e. e-media].

While Patterson discloses transmitting the history record, i.e. notification summary, to the sender/user, it would have been obvious that sending this to multiple individuals, i.e. including the client/receiving party, would have been obvious in order to allow other users of interest to obtain and review tracking information of a message.

Conmy discloses a scheduling system which allows real time status updates on user's free/busy, i.e. availability, times for both calendar and mail systems based upon previously stored events in both their profiles and calendar/email system [Conmy -- Col. 3 lines 57-67 – Col. 4 lines 1-13, Col. 10 lines 20-22 and lines 43-50, Col. 11 lines 61-62 and Col. 12 lines 44-50] which, when combined with Wang-Patterson, would include the notification summaries produced by the certified mail system.

Patterson discloses that the user should be able to decide the nature and type of notification information collected from a recipient [Patterson -- Col. 11 lines 1-5], thus allowing one of ordinary skill in the art to be motivated to provide additional information in the notification summary regarding availability times for contact.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the specifying, by the sender, of a level of feedback from the client that

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includes determining if the e-media and attached documents sent with it were printed and if the client opened and interacted with the e-media and attached documents along with creating/sending a history record that includes a chain of delivery events occurring after sending the e-media and interaction events occurring after receipt of the e-media, as taught by Patterson along with the unattended validation/audit of printed e-media, i.e. e-mail messages, by a printer, as taught by Mitsuya, and finally the real time status updates on a user's free/busy, i.e. availability, times based upon previously recorded events, namely the events of the history record, i.e. notification summary, of Patterson, as taught by Conmy, into the invention of Wang, in order to further enhance the level of tracking for senders to allow them to be sure the intended recipient has read or received the attachment / e-mail and any other interactions with the e-mail [Patterson -- Col. 1 lines 15-26], to provide verification to the transmitter that the message has reached the receiving individual and has printed successfully and also gaining the automated advantage of instant verification to the sender that the document has reached the receiver even if the receiver is not physically present, and to promote higher levels of end-user productivity by allowing users to better manage and schedule time [Conmy -- Col. 11 lines 31-32].

Regarding claim 28, Wang-Patterson-Mitsuya-Conmy teach the invention substantially as claimed, wherein the pertinent information includes at least one of:

A user's encrypted/unencrypted Unique Identifier [Wang -- Col. 7 lines 26-27 – Sender logs in to account in order to access functions on the server, i.e. send or receive messages];  
and

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A desired level of delivery validation/audit feedback [**Wang -- Col. 7 lines 5-7 – The server determines whether or not user has requested the mail be sent certified, i.e. requires notification, or not**].

Regarding claim 29, Wang-Patterson-Matsuya-Conmy teach the invention substantially as claimed, wherein the step of validating, by the consumption device of the client/receiving party, the correct delivery of the e-media includes validating a user's encrypted/unencrypted Unique Identifier [**Wang -- Col. 6 lines 51-55 – Receiving party logs-on to accept and receive certified mail**].

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Pickering (U.S. 6,076,093) discloses a real-time interactive directory for monitoring user's availability.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mauro Jr. whose telephone number is 571-272-3917. The examiner can normally be reached on M-F 8:00a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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January 7, 2005



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